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New York

President: Mr. Razali Ismail ..... (Malaysia)

The meeting was called to order at 10.05 a.m.

Agenda item 47 *(continued)*

Question of equitable representation on and increase in the membership of the Security Council and related matters

Mr. Kamal (Pakistan): Much attention was devoted, throughout the fiftieth session of the General Assembly, to the question of the restructuring and reform of the Security Council. Much of that exercise was initiated and conducted partly because it was the fiftieth anniversary of the United Nations, and many thought that something needed to be done as it turned 50, and partly because of the serious financial situation in which the Organization found itself, leading to the search for some sort of a package deal that would quickly fix these financial problems and make them disappear at the snap of a finger.

Little thought was given, however, to the far deeper need to re-examine the very fundamentals on which our assumptions of 1945 were built and to attempt to identify a fresh set of objectives that could lead our Organization into its next half century. It is this inability to come to terms with the new realities of a world 50 years down the line that has led to the impasse we are at today.

Throughout the fiftieth anniversary year, the negotiations in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council remained largely deadlocked. The report of the Open-ended Working Group, contained in document A/50/47 of 13 September 1996, confirms this, as it shows that no headway was made on any of the core issues during 1996. It is unfortunate that despite three years of negotiations we are not even close to reaching agreement on the fundamental issues of the expansion and reform of the Security Council. The fact is that this is due to the very wide divergence of views on the fundamental principles on the basis of which the Council should be expanded.

There are those who want the reform of the Council to merely take into account the appearance of some new political and economic actors on the global scene. The vast majority, however, argues that the reform should take into account the emergence of a large number of countries as a result of the decolonization process that took place after the Second World War. There are also those who rightly argue that if we really want to reform the Security Council, then we should re-examine the fundamental assumptions on which this institution was established in 1945 and see if these are still valid after 50 years, and whether they will continue to be valid for the next 50 years. The situation in 1945 was after all a totally extraordinary but static one. The victors of the Second World War simply allocated to themselves permanent seats on the Security Council. In the process, they created a non-democratic centre of privilege and invented the anachronistic veto. We should not, therefore, repeat the mistake of 1945.

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Over the past three years, our debate in the Working Group has been mostly repetitive. We have moved from an issue approach to a cluster approach, and back to an issue approach again in an effort to make forward movement. If we have not been able to succeed, it is because the problem before us is essentially political and not procedural in nature, with vast differences in opinions.

The fact is that there is no consensus today, nor is one likely in the foreseeable future, on a quick expansion in the permanent membership of the Security Council. The reality is that the existing permanent members are not willing to accept restrictions on their power of the veto, let alone to renounce it. The fact is that many important members of the Security Council and the General Assembly are not even willing to allow forward movement on the working methods of the Security Council, as they want to hold any reform of the working methods hostage to a quick decision on expansion. The reality is that, but for a few countries, most of the members of the General Assembly would be quite happy to see an expansion of the non-permanent category alone in the Security Council.

Over a dozen proposals have so far been formally submitted on the question of an increase in the membership of the Council. However, none of these proposals appears to have been able to attract the necessary two-thirds majority in support. We know that six countries have announced their candidatures for the permanent membership of the Council. Two of them are economic Powers today. Others are being perceived as no more than floor-crossers from the original Non-Aligned Movement (NAM) position on centres of privilege that they themselves had traditionally espoused.

Pakistan continues to be strongly opposed to any increase in the permanent membership of the Council. The Prime Minister of Pakistan at the fiftieth anniversary session of the General Assembly said that:

> "The Security Council needs enlargement, but not in its permanent membership." *(Official Records of the General Assembly, Fiftieth Session, 39th meeting, p. 24)*

That statement echoes the opinion of the vast majority of the Members of the United Nations.

We believe that any increase in the permanent membership would serve the interests of only a few countries and would be to the detriment of small and medium-sized countries, which constitute the overwhelming majority of the membership of the United Nations. Pakistan, like most of the others, remains strongly opposed to centres of privilege within the United Nations system. These are anachronistic, anti-democratic, and contrary to the spirit of sovereign equality as enshrined in the United Nations Charter.

An important fallout of permanent membership is the "cascade effect", which has been described in document A/AC.247/5 of 14 September 1995. It would be fair to say that by increasing permanent membership, we would not only strengthen the club of the aristocratic elite, but would also proportionately reduce the chances of election of non-members to United Nations organs.

Pakistan and many other countries advocate an increase in the category of non-permanent membership in order to proportionately reflect the increase that has taken place in the general membership of the United Nations. In this regard, the non-aligned position is that if there is no consensus on an increase in other categories of membership — and as we know there is none — then expansion should take place only in the non-permanent category for the time being. Only a very few delegations have categorically stated that if there was no increase in the permanent membership, there would be no expansion of the Security Council at all.

It is high time, then, for us to try as quickly as we can, to establish that which is achievable, and that which is not. To do so, we need to determine first of all, once and for all, whether there is or is not any chance of a consensus emerging on the issue of the expansion of permanent membership. If there is not, which clearly appears to be the case, then let us identify, without wasting any more time, what really is doable in the way of Security Council restructuring and reform.

Since major divergences exist, could we not as a first step consider the expansion of non-permanent membership alone, and some reform of the working methods of the Security Council? This would respond to the wishes of the vast majority of Member States. In this context, I would again recall the non-aligned position, namely that if there is no agreement on other categories of membership, then expansion should take place in the non-permanent category for the time being.

At least two papers presented in the Open-ended Working Group already have the support of nearly two thirds of the membership of the United Nations, namely the non-aligned position paper of February 1995, and the

non-aligned veto paper of March this year. In addition, the Mexican proposal on the veto, and the Czech proposal on Article 31 appear to enjoy very wide support. There is also the interesting Italian proposal, which has received very wide support, and which in essence refers to an increase in the non-permanent membership. These papers could form the basis of our future discussions in the Working Group.

The Czech proposal that non-members of the Security Council should be allowed to participate in informal consultations of the Council under Article 31 of the Charter, hits the nail on the head on the question of the absence of transparency in the so-called informal working processes of the Security Council. This absence of transparency was less important some years ago, when the Security Council met infrequently and adopted only the very few resolutions that it did. Now that it meets every day, mostly in informals, and is taking daily decisions, surely some method can be found to enable those who are interested to observe and follow its work and deliberations in a more elegant manner than through corridor gossip and hearsay.

Other issues that merit consideration include enhanced cooperation between the Security Council and the General Assembly; consultation between the Security Council members and a country which may be affected by a decision of the Council; the institutionalization of consultations between the President of the Security Council with the respective Chairmen of regional groups on important issues, regular and transparent briefings on informal consultations; the institutionalization of a system of consultations during the decision-making process on the establishment, the conduct and the termination of peacekeeping operations; the availability to all Members of the records of the sanctions committees; the greater use of political mediation arrangements by the Security Council for the settlement of disputes; the use by the Council of the International Court of Justice; a greater involvement of the general membership in the decision-making process of the Council; the institutionalization of the briefings of the President of the Council to the general membership; provisions for the prompt convening of formal meetings of the Security Council at the request of a State Member of the United Nations; and a review of the veto power of the permanent members.

In conclusion, we are not here to repeat or compound the errors of 1945, but to reverse them. Our objective should be to expand the Security Council and to review its working methods, and other matters related to its functioning, in a way that further strengthens its capacity and effectiveness, enhances its representative character, and improves its working efficiency. It is not an easy objective, but let us make an honest attempt to achieve it.

Mr. Butler (Australia): Mr. President, as this is the first occasion on which I am addressing the fifty-first session of the General Assembly, may I begin by repeating the remarks made to you on 30 September by my Foreign Minister, Mr. Alexander Downer, when he expressed to you the immense pleasure Australia feels at seeing you, the representative of a close, neighbouring country, presiding over this Assembly. I know personally that your skill and determination will guide us well in the year ahead.

It is impressive that so many Member States have chosen to take part in this plenary debate on the question of the Security Council of the future. As it has been a long debate, I will come fairly directly to the point.

No one should doubt the deep importance of this subject. Of all the things known about the United Nations amongst interested groups of people around the world, the first is that the current configuration of the Security Council is no longer right. The same is true of the world's media. Sadly, the media all too often fail to report other aspects of the work of the United Nations, but unfailingly report the work of the Security Council; and the media, like ordinary citizens, know that the Security Council needs to be modernized.

These facts have a clear meaning. If we delay any further in coming towards closure of our work on the modernization of the Security Council, we will risk serious criticism and ultimately great harm to the United Nations in ways that go beyond the work of the Council itself. It is with this conviction that Australia offers the following remarks.

The debate of the past few days has shown, once again, that there is general acceptance that the Security Council must be expanded and modernized. The question of how expansion and modernization should be achieved has been the subject of intense, often difficult but, ultimately, very valuable discussion in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. Australia is deeply grateful to the co-Vice-Chairmen for their work and, perhaps especially, for their patience.

What can be said of last year's work? First, the Open-ended Working Group made substantive progress during the fiftieth session of the General Assembly in laying the groundwork for a solution with respect to the size and composition of an expanded and modernized Council; the decision-making processes of such a Council, including the veto; and improvements in its working methods. Secondly, but paradoxically, despite the richness of the debate and our exhaustive discussion of proposals and approaches, the Working Group was obliged to conclude its deliberations of the fiftieth session no closer to an agreed solution than when it began, three years ago.

The meaning of these two equal but apparently contradictory facts is that we must find a way to move forward during the fifty-first session of the Assembly. Put simply, the kind of shadow-play we have been witnessing should come to an end.

The Working Group must not continue simply to debate the issues for a further year. The issues have been thoroughly discussed. We are all familiar with them. To repeat the debates yet again would lead nowhere, other than possibly to public disappointment.

What we must do now is begin serious negotiations on a whole package of amendments to the Charter, because, let no one forget, in the end that is what is at issue here — amendments to the Charter.

Australia will work actively for a consensus outcome. Negotiations to that end should be concluded within a reasonable time-frame and presented to the General Assembly for consideration, in accordance with Article 108 of the Charter. If consensus does not prove possible, then a package that appeared to command the support of a very substantial majority of Member States might have to be acted upon by the Assembly.

Australia shares the widely accepted view that the membership of the Security Council needs to better reflect current political and economic circumstances. We think that the following elements would be essential parts of any such whole reform package.

First, Japan and Germany must become permanent members. This is the very least the United Nations can do to acknowledge their status and the financial contribution they are making to the Organization.

There must also be permanent seats for under-represented regions. How this should be achieved needs further discussion. Not what but how this should be achieved needs further discussion, primarily by the regions concerned. For Australia's part, we are flexible. Such seats could conceivably be filled by a single Member State or by rotating membership amongst leading Member States, but agreed to by the regional groupings.

Next, the number of non-permanent members of the Council should be increased in such a way as to ensure more balanced and equitable representation. In this context, a number of interesting proposals have been put forward in the Working Group, and again Australia remains willing to discuss these flexibly.

So what would this mean for the total? The total number for an expanded Council should be about 25. Such a number would allow for the kinds of increases I have just mentioned without causing a reduction in the efficiency of the work of the Council.

In addition, it is essential that the terms of Article 23 of the Charter, with respect to the characteristics of States seeking election to the Council, be followed faithfully. The Council is not a universal body but a representative one. It must be made up of States that meet the primary criteria outlined in Article 23. The democracy of the United Nations is deeply rooted in the General Assembly, but the Council reports to the Assembly.

We must insist, then, that its report be material, not merely procedural, and that consideration of it by the Assembly is a significant political event and be recognized as such. It is in this context — the context of the democracy of the General Assembly — that every Member State has and must retain its equal voice with all others. But those who preach a notion of rotation as a first principle in the context of elections to the Security Council are in fact seeking to revise the important terms of Article 23 of the Charter.

It is beyond doubt that there is deep concern to arrive at a new understanding and clarification of the veto power, its inner nature and the legitimate conditions under which it can and should be used. Unwelcome though this issue may be for some, it must be pursued.

As a final point, I would emphasize that without agreement on the size and composition of the Security Council, other pressing aspects of both Security Council and wider United Nations reform are very unlikely to be realized. The most pressing example of this is provided by the current debates on contributions to be paid by

Member States. These issues are not likely to be resolved until Member States have decided on an increase in the permanent membership of the Council, given the implications that such an expansion would have for the scale of assessments and the payment of contributions.

I hope that, during your term as President and under your guidance, this Assembly will see substantial progress towards solutions to the reform of both the Security Council and the United Nations more widely, in keeping with the agreement reached in the fiftieth anniversary Declaration that we

> "will give to the twenty-first century a United Nations equipped, financed and structured to serve effectively the peoples in whose name it was established". *(Resolution 50/6, fifth preambular paragraph)*

My delegation will support you in whatever steps you take towards ensuring the beginning of substantive negotiations on a package of amendments to the Charter through which the Security Council can be modernized.

Mr. Van-Dunem "Mbinda" (Angola): I would like to thank you, Sir, for calling on me to express, in the name of my Government, our point of view on the question of equitable representation on and increase in the membership of the Security Council and related matters.

At a time when profound changes are taking place in the international arena and the United Nations is being increasingly called upon to face new challenges that are not always conciliatory and require the concerted efforts of all Member States, regardless of size, geographical situation or economic and military might, it is vital that a broad programme of comprehensive reform of the multilateral institutions be adopted to further measures, in a decisive manner, for the democratization of international relations based on the rule of law and the mutual benefit of States.

My delegation took note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, which reflects the agreement reached on the need to expand the Security Council, review its working methods and other questions related to its operation, in such a way as to reinforce its capacity and effectiveness.

Allow me to express our support for you, Sir, in your assignment of steering these proceedings and, at the same time, to acknowledge all those who have made a dedicated effort to accomplish this work, in particular the outgoing President and the two Vice-Chairmen of the Working Group. We hope the outcome of those efforts will help improve international relations in the days ahead.

We would like also to support the statement made by the Ambassador of Colombia on behalf of the Non-Aligned Movement.

As an important component of United Nations reform, the reform of the Security Council presents itself today, as we approach a new century, more than ever before as a crucial need to which no one can remain indifferent.

The reform of the Security Council must focus on redressing the imbalance in regional representation, a particularly serious inadequacy in the representation of developing countries. A more democratic and transparent Security Council, as far as decision-making and implementation are concerned, can only become a reality when it has equitable, and hence non-discriminatory, representation and when the number of its permanent and non-permanent members is addressed in the light of the new realities arising from 50 years of the work of the United Nations.

We believe that such an important body of the United Nations should have the necessary prerogatives to respond to the challenges of today's changing world. An organ such as the Security Council has to be strong and responsible enough to tackle international matters whenever and wherever it is required to do so. It is nevertheless important to state that efforts to ensure the transparent character of this body must continue.

For the Republic of Angola, whose position of principle on this matter is the same as that stated by the Organization of African Unity, the claim to a minimum of two permanent seats in the Security Council is the claim to a right to which the African continent is entitled and one that we will not abdicate.

We also support the right of other world regions to be equitably represented in the Security Council through permanent member status. In our opinion, it is not enough, however, to increase the number of permanent and non-permanent members in the Council; it is also crucial that the new members elected to this relevant United Nations organ be recognized as having all the

appropriate rights and responsibilities, in accordance with the provisions of the Charter, including the veto right, on an equal footing. We have noticed with great apprehension that, in some circles, a new category of permanent member is being discussed that would deprive the respective countries of some of the prerogatives that the current five permanent members have today. My country vigorously opposes that solution and appeals to its sponsors to give up this idea.

The use of the veto by the current permanent members of the Security Council is a question that concerns us all and that, in our opinion, warrants the careful attention of the Open-ended Working Group in charge of the reform of the Security Council, although we believe that the discussion of such a matter should not be linked to the decision that will be made on the expansion of the Council.

In the opinion of my country, Angola, the use of the veto is inconsistent with present-day realities, and therefore we are in favour of its abolition or, if that is not possible, of its amendment and the consequent granting of that prerogative to new members that are elected. My delegation considers that major elements for comprehensive reform are now on the table and that at its next round of substantive discussions the Working Group should move to a more concrete phase.

In conclusion, I would like to reiterate our willingness to continue to work within the Open-ended Working Group, because we believe that, with the concurrence of all Members of the United Nations, it will be possible to transform the Security Council into a more democratic United Nations body, with operating methods that do not discriminate against any country or region in the world and that will help to make our planet a world of peace and development.

Mr. Dlamini (Swaziland): I welcome once again the opportunity to participate, on behalf of the delegation of the Kingdom of Swaziland, in deliberations on this very important core issue of United Nations reform: the question of equitable representation on and expansion of the Security Council.

The Security Council is the only organ of the United Nations charged with the maintenance of international peace and security. Its successes or failures, weaknesses or strengths affect all Member States as well as the other organs of the United Nations. It is therefore important for the Council to underscore its legitimacy through equitable representation that is proportional to the increase in the membership of the United Nations. Without such expanded representation, the legitimacy of its authority remains questionable.

When the Organization was formed 50 years ago, many countries in existence today, especially in the regions of Africa and Asia, were still fighting for their independence from colonial occupation and domination. The world had just experienced the gigantic scourge of the Second World War. The painful lesson of the war prompted the victors, meeting in San Francisco, to arrogate to themselves enormous powers and privileges in an effort to ensure that the mistakes that had led to the war would not recur.

Enormous changes have taken place since the formation of the Security Council, and since the end of the cold war — most notably, the increase in the membership of the United Nations. Obviously, the status quo in the Security Council does not reflect all contemporary realities. This legacy should not continue in perpetuity. The fact that circumstances in the international system have changed so fundamentally is a compelling reason for change in the composition of the Council. The present composition of the Security Council is generally unrepresentative, iniquitous and anachronistic. Such a situation is inconsistent with the universal principles of democracy and the equality of States. These principles not only hold sway, but also form the cornerstone of international discourse among nations.

The issue of the size and composition of the Security Council, particularly with regard to the permanent membership, which is the bone of contention, is also of major concern to my delegation. The Kingdom of Swaziland is convinced that the position of Africa in its quest for a minimum of two permanent seats is necessary and justifiable. We therefore stand by this view, and we are ready to engage in further discussion with Member States to find a lasting solution to this matter. However, a fruitful debate can be carried out only if the permanent members exercise flexibility to accommodate change.

Several proposals have been advanced for an increase in the non-permanent membership of the Security Council. We believe that 25 should be a minimum figure and that the principle of equitable geographical representation must be strictly observed in both categories of Security Council membership. In our view this would enhance the legitimacy of the Council's authority; it is the only way to address the imbalance that afflicts the

Council, in which four out of five permanent members represent the same civilization.

Turning to the process of decision-making in the Security Council, including the issue of the veto, my delegation fully associates itself with the declaration of the Non-Aligned Movement that was adopted at the Eleventh Conference of Heads of State or Government of Non-Aligned Countries in Cartagena, Colombia, in October 1995, in which they reaffirmed their commitment to promote a better relationship between the Council and the General Assembly and also to encourage the curtailment of the use of the veto.

Finally, measures should be taken by the Council to enhance its working methods and procedures and to improve its working relationship with the other United Nations organs and the general membership. Such measures should also be formalized and institutionalized so as to ensure their effective systematic implementation. While we recognize the fact that measures have been taken by the Council to improve its working methods, these measures remain partial and unpredictable, and are implemented only at the whim and will of the Council.

I should like to make some remarks addressed directly to you, Mr. President, in your capacity as my colleague and friend. Your country has assumed the presidency of the General Assembly, and it is faced with a number of crucial issues that beset the global world today. I have this question to ask you, Mr. President: Have you ever considered the possibility of holding a session in which Member States could devote time to invite God to participate with us? In such a session we could pray, in all the languages that we speak here, asking God to intervene to guide the United Nations, especially the Security Council, as it faces and disentangles the issues that are a bone of contention, and deals with the pain that affects us from head to toe and to our deepest marrow.

Any success that we can achieve can be possible only if God the Almighty can be invited persistently and be given a chance. I know very well, Mr. President, that you say you pray in your own household. I wish to reaffirm the belief of the Kingdom of Swaziland, which believes in God, that, where there is a problem, God is ready to intervene. There is a problem in the Security Council, but how often have we invited God to soften the hearts of those countries that are misusing the power of veto to the great detriment of the small nations? You will pardon me, Mr. President; the spirit of God has inspired me. But I would conclude by inviting you to consider this seriously. Through God, we shall be successful. Through God, the United Nations can change.

Mr. Ayewah (Nigeria): In contributing to the debate on the question of equitable representation on and increase in the membership of the Security Council and related matters, my delegation would like to express its appreciation to the co-Vice-Chairmen of the Open-ended Working Group who, during the fiftieth session of the General Assembly, worked tirelessly and with a great deal of purpose and patience in an effort to reach meaningful conclusions. The deliberations thus far have revealed the complexity of the subject matter and the challenges facing the Working Group. It has certainly not been an easy task, and the position of the co-Vice-Chairmen has not been a particularly enviable one. We thank them for the efforts they have made in producing the report of the Working Group, which is now before us as document A/50/47 of 13 September 1996.

As one of the sponsors of the initial resolution that led to the inclusion of this item in the agenda of the thirty-fourth session of the General Assembly, the Nigerian delegation is disappointed that after such a long period of time we are no nearer to an agreement on the most appropriate composition of the Council, nor are we closer to a solution of the key questions of the expansion and size of the Council in both categories of membership. In fact, we seem to be going around in circles. Year in and year out, the Working Group starts out with a lot of ideas and hopeful proposals, but it seems to end up at a dead end. Against the background of the wide-ranging ideas that have been expressed and the rich discussions we have had, the paucity of this year's report attests to this unsatisfactory state of affairs.

In our judgement, we cannot really reinvent the wheel. The issues are fairly clear. Agreement or progress will be possible only if there is political will to make the hard decisions and undertake the necessary political compromises in order to have a reformed Security Council that is democratic, equitably representative and that truly acts on behalf of all Member States.

The foregoing is not to suggest that there were no positive developments in our deliberations during the past year. For example, the notion of a so-called "quick fix" under any guise has been put to rest. It is inequitable and politically unacceptable, and I am certain that even the potential beneficiaries of such an arrangement would be uncomfortable with such an outcome. Similarly, the concept of rotational permanent seats, even on a regional

basis for developing countries, has not found favour with all Member States. There is therefore the need to revisit the concept.

There was also the notion of a concert of medium Powers that would rotate more frequently as non-permanent members of the Security Council. The difficulty with that option relates to the modalities of determining membership of such a group. In any event, it would be tantamount to establishing a third category of membership that is not recognized by the United Nations Charter. My delegation believes that that option should not really be pursued.

With regard to the working methods of the Council, there has been a great convergence of views on the need for continued improvement, particularly in terms of improved transparency and greater democratization of the Council's decision-making procedures.

On the question of the veto, the Non-Aligned Movement, in a paper that has received overwhelming support, has offered a view. The conclusions reached in that paper deserve the serious consideration of the current permanent members of the Security Council. In our view, permanent membership confers a privileged status that in turn implies responsibilities and obligations. It is our hope, therefore, that the permanent members will see their way clear as to the necessity of the needed reform of the Security Council and extend their willing cooperation to the process in the interest of their own credibility, equity and justice. Until the veto is ultimately abolished, we believe that its use should be rational and selective and confined only to issues under Chapter VII of the Charter. Clearly, we fail to understand why, in today's world and in terms of *realpolitik*, the decision on the appointment of a Secretary-General — and for that matter, the next Secretary-General of the Organization — should be subject to the preferred options or predilections of one or two powerful Member States. It is a question that should be considered in a fully democratic and transparent manner by the General Assembly so as to ensure that whoever emerges enjoys the support of all Member States. The same principle should apply when we consider the admission of new Members.

Concerning the composition and size of the Council, my delegation continues to assert that the current anomaly of non-African representation in the permanent membership category deserves urgent correction. for the continent has not only the largest number of United Nations Member States, but those States, collectively, constitute almost one third of the United Nations general membership. In this context, the collective decision of Africa to have a two-seat representation in the permanent membership category deserves the full support of all Member States. We would, however, wish to clarify that the modalities of that representation should be left to Africa.

Mr. Wilmot (Ghana), Vice-President, took the Chair.

The Charter recognizes two categories of membership. We believe that the proposed increases should therefore be in these two categories, permanent and non-permanent membership, without discrimination between the powers of the old permanent members and the new ones. All permanent members should enjoy the same rights and powers and assume the responsibilities incumbent on membership. Besides, the Charter provisions should not be amended solely to serve a short-term purpose.

In conclusion, let me say that the fiftieth session of the General Assembly provided an enabling momentum for our work by further clarifying issues and concepts. Our Working Group's deliberations should not be interminable. We believe that the status quo in the Council is unrepresentative and out of tune with current international realities. It demands urgent collective action for its restructuring and reform.

We therefore charge the Open-ended Working Group with redoubling its efforts during this fifty-first session of the General Assembly, under Mr. Razali's distinguished chairmanship, in order to come up with concrete proposals that would address in a holistic manner, and not piecemeal, all the issues regarding an increase in permanent and non-permanent membership, working methods of the Security Council and the question of equitable geographical distribution of seats in the Council. It is appropriate to state that with the necessary political will it is possible to reform and restructure the Security Council to meet our collective wishes and aspirations.

Mr. Reyn (Belgium) (*interpretation from French*): For three years now our Working Group has been considering all aspects of the reform of the Security Council. Thanks to the active participation of Member States, under the wise guidance of our two Vice-Chairmen, many proposals have been made and lengthy discussions have been held.

Allow me to remind those who might have forgotten that a group of Member States, including Belgium, submitted a document for discussion only which was reproduced in the report of the forty-ninth session. We

believe that, broadly speaking, the principles contained in that document have lost none of their validity and are still relevant. And we are prepared to discuss them with those who share similar concerns.

What are these principles? I would single out three. First, reform will be useful only if it leads to increased efficiency in the Security Council. Secondly, the current representation of the Council no longer reflects today's realities and needs to be strengthened. Finally, there is a need to restore legitimacy to the limited body that is the Security Council.

Implementation of these principles should in the longer run allow us to agree on the following points. First, expansion of the Security Council should take place in the two categories of permanent members and non-permanent members; in our view, this is primarily a question of balance within the Council. Secondly, the increase in permanent and non-permanent members should be based on the current distinction between the two categories. Thirdly, the expanded Council should not consist of more than 25 members. Fourthly, a limit on the usage of the veto should be discussed. Fifthly, it should be possible to review the membership of the Council.

We believe that it is time to move beyond the phase of discussions and exchanges of views, which, it must be admitted, have in recent months become rather repetitive. Let us be quite clear: there is no panacea for reforming the Security Council. However, several aspects of the proposals submitted and of the ideas introduced deserve more in-depth discussion so they can be judged on their own merits. In our view — and this is just an example — the idea of regional representation for the category of permanent members, assuming that there is to be an increase in the two categories of members, requires further analysis, based objectively on its advantages and disadvantages. Similarly, a debate on the use of the veto or on the review of the Council's composition — to take two other examples — remains necessary, if only to clarify our thinking.

Finally, with regard to improving the working methods of the Council, we believe, as many others do, that real progress has been made. However, we believe that current measures need to be taken farther. In particular, we need to see to it that certain principles and certain rules of transparency are applied. We think that such vigilance would be more useful than requiring that the measures be formalized and institutionalized. But we see no problem in such formalization where it is conceivable and possible.

We really believe that, after three years of discussion, it is time to identify the various points that need to be considered calmly and in greater depth and to act accordingly. We now need to move forward. The credibility of the Organization as a whole is at stake.

Mr. Escovar-Salom (Venezuela) (*interpretation from Spanish*): The Declaration adopted on the occasion of the fiftieth anniversary of the United Nations, says that

> "The Security Council should, *inter alia*, be expanded and its working methods continue to be reviewed in a way that will further strengthen its capacity and effectiveness, enhance its representative character and improve its working efficiency and transparency; as important differences on key issues continue to exist, further in-depth consideration of these issues is required." *(Resolution 50/6, Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, para. 14)*

The international community must abide by this commitment. In this context, we express our support for the endeavours of the Open-ended Working Group on the subject now before us. We hope that soon, when we take up this work again, we will arrive at a consensus.

From the start of the debates on the reform of the Security Council, Venezuela has reiterated its position that a comprehensive approach should be taken to its restructuring, account being taken of all dimensions of the issue, particularly in the areas of composition, decision-making and working methods.

As to its composition, we have advocated a modification that would reflect the increase in the membership of the United Nations and improve the arrangements of 1945 in order to move towards more democratic formulas. Venezuela expressed this position even when the Organization was created. In this way, regional groups could be guaranteed greater representation, and a more proportional and representative relationship between the Council and the General Assembly would be established, which would greatly enhance the legitimacy of the Organization.

We consider that this increase in the membership of the Council should apply to the category of permanent members as well as to that of non-permanent members. If we do not succeed in obtaining a consensus on a straightforward increase in the permanent membership of the Council, we might consider a rotation among those

countries that, although not permanent members, could also contribute actively to the taking and implementation of Security Council decisions. Furthermore, all the other non-permanent members should have their annual chance of assuming a seat on the Council increased.

We do not believe that only economic, political or military potential should be taken into consideration in this matter. In any case, what is set out in Article 23, paragraph 1, of the United Nations Charter is still valid because of its flexibility with regard to the election of countries for the two existing categories, as well as with regard to the possibility of a new formula.

With regard to working methods, even though there has been no agreement on basic aspects, progress has been made in the search for greater transparency. We insist on the need for the Security Council to continue to improve its procedures, and we consider that only the comprehensive reform of the Council will lead to a real increase in its legitimacy and efficiency.

Regarding the decision-making process, my country has, ever since it became a Member of the United Nations in 1945, been in favour of eliminating a power that was created in response to circumstances that no longer exist today. We believe that this exceptional faculty should be limited to cases that endanger international peace and security, on the basis of Chapter VII of the Charter.

We appreciate the complexity of this process, but we also must stress that if we remain bogged down in the exchange of views, the process could become an interminable and fruitless debate that would hinder the achievement of specific agreements and risk losing the impetus gained on this issue in recent years.

Venezuela is still convinced of the need to review and modify the structure of that organ in the light of the demands of a changing world. It is therefore essential to continue the endeavours to achieve a Security Council that represents all regions fairly. We should demonstrate to world public opinion our creativity in designing new formulas, as well as our political will to reach consensus in a matter of such great importance. An agreement in this matter will no doubt establish the bases for an international order of greater solidarity, ensuring the reign of law and justice.

Mr. Cassar (Malta): The rich diversity that has characterized the debate on Security Council reform is encouraging. In its report, the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council identifies issues and problem areas. However, the dynamics within the Group have not as yet led to common ground. Our collective endeavours during the forty-eighth, forty-ninth and fiftieth session have not born fruit.

This fact in itself demands reflection. It indicates the importance Member States attach to the Security Council's role and to changes which have occurred and will continue to occur in the international community. Awareness of the need to expand the Security Council to enhance its representative character is equalled by that of retaining and improving upon its efficiency. Neither of these two basic objectives is divisive. It is in the method by which these objectives are to be pursued that differences exist.

Debate has stimulated creativity. The benefit of the diversity of possible options, however, is counterbalanced by the distance which still persists between national positions. The negotiating process requires of us a marked effort to bring to fruition three years of debate and discussion. Indeed, our shared belief in the need to expand and enhance the efficiency of the Security Council imposes a degree of urgency in the identification of solutions. The way forward requires flexibility and compromise as tools. It also demands a reciprocal effort in understanding and comprehending the aspirations and the concerns of different delegations.

The report correctly states that during discussions on the size and composition of the Security Council,

> "It became clear ... that a number of Member States were not ready to take final positions because of interlinkages between the size and composition and other matters in the mandate of the Open-ended Working Group." (*A/50/47, para. 23*)

On the question of an increase in permanent membership, many States have retained an open mind, asking legitimate questions regarding the criteria on which to base such a decision, now and in the future, for any course of action adopted will, in fact, establish a precedent. Can the historical realities which influenced the Council's composition 50 years ago be paralleled or matched in any way by present contingencies? Can earlier or existing proportionality justify extrapolation today? How can factors which are non-permanent and change over time determine permanence?

Malta has listened attentively to the answers given to such questions and has taken note of the disposition of States that have expressed a willingness to serve. Regardless of the evaluation of these answers by individual Member States, the fact remains that at present a common position on this delicate issue appears remote. Should this impasse block altogether the prospect of an equitable representation on and increase in the membership of the Security Council? Compromise solutions could be inspired by contemporary trends, realities and practices.

We have a number of proposals and formulas on the table which seek to direct us to the path of compromise, whether for arrangements for a more frequent rotation by certain Member States, or for the expansion of the non-permanent category to reflect the number of States in each region, or for following the precedent set in the first expansion, when there was an equal increase in the number of non-permanent seats per regional group. The current distance in positions could also point towards first-step solutions, if only for now. This would help us avoid being hostage to those fundamental questions that still need to be resolved. The Non-Aligned Movement's suggestion to overcome the lack of agreement on the increase in other categories of membership by expanding, for the time being, the non-permanent category is an option to be borne in mind.

Realpolitik can take us a step further. Expansion could take stock of the de facto patterns of service on the Council, which reflect the increased role and contribution of some Member States in the maintenance of international peace and security. We all are conscious of the desire and will to serve of those able to do so more regularly. Their past role and their future potential holds promise for an effective contribution to the work of the Security Council. Italy's proposal in this regard seeks to take into account these realities without creating new categories of membership. Malta continues to view this proposal with positive interest, as it recognizes both the special contribution of a number of States and the right of all States to serve on the Council regardless of their size, wealth or military might.

Apart from restating the need for equitable representation on and increase in the membership of the Security Council, the report also reiterates the call for improved transparency and efficiency in the Council's work. Improvement of the working methods of the Security Council cannot be underestimated. A number of measures have already been taken to better the flow of information between the Council and the general membership. Such efforts enhance the relationship between the two. This is an absolute necessity, for regardless of the extent of the expansion that may ultimately be agreed upon, at any point in time the vast majority of Member States will not be on the Council. Lack of information could impede that active symbiotic relationship between the Council and the General Assembly to which we all aspire.

An enhanced, structured process of consultation between these two principal organs and their members would contribute to the transparency of the work of the Council and facilitate the Assembly's effective input, particularly in those areas or on those issues of which the Council has been seized for prolonged periods of time or on which it has encountered difficulty in taking immediate and effective action.

The world community can only benefit from an actively enhanced engagement of the General Assembly and its members in the search for solutions to issues of concern, which cause suffering and distress to whole populations of innocent victims.

Our discussions on decision-making in the Council have also led to interesting exchanges. The veto and its use and extension have been debated extensively. Malta has already stated that the question of veto can best be resolved by letting the veto fall into disuse without prejudicing future discussion on the desirability of its abolition. Other equally important aspects of decision-making deserve earnest consideration. The further involvement of affected States in the decision-making process, albeit not in the decision-making of the Council itself, would enhance the Council's effectiveness. Such important exchanges as have occurred very recently have enabled interested Member States to address items of concern to them and the Council itself to better reflect the will of the international community it represents.

The maintenance of international peace and security and the central role of the Security Council are as crucial to the substance of this debate as they are to the Organization. Most of the reforms proposed retain the role of the Security Council as guarantor of peace, while recognizing the need for an evolution in its membership and in its relationship with the General Assembly. The final outcome of this exercise must safeguard the institutional balance that the Charter provides.

The item before us remains delicate. The road ahead is neither simple nor easy. Through sustained effort, future discussions can benefit from the lessons of the

present. This requires of all Member States the political will to seek common ground and build on compromise to give to the international community an expanded and enhanced Security Council.

Mr. Mtango (United Republic of Tanzania): The agenda item before us has, understandably, attracted divergent views, positions and proposals from the entire membership of the United Nations and the world community at large. The intense and varied exchange of views that has been going on for the last three years is clear testimony to the importance the world attaches to this organ and its role in determining the destiny of our Organization.

The end of the cold war and the tremendous increase in the Organization's membership have made the need for reform not only compelling but possible. With a membership of 51 at the time of its inception five decades ago, the United Nations had a total of six non-permanent members on the Security Council, representing about 12 per cent of the total membership of the Organization. With the current almost fourfold increase, the percentage has further dwindled, as the present 10 non-permanent members of the Council now represent less than 6 per cent of the membership of the United Nations. While we all agree on the need for reform, we have so far not reached agreement on the nature and scope of the reforms to be effected. This is the crux of the matter.

My delegation has underlined that the reforms of the Council must be both comprehensive and continuous. This means that for us, the overriding objective of the reforms is to bring about the Council's greater democratization by restoring the balance of representation between the developed North and the developing South in both categories of membership. We see this as a process that will bring justice and greater empowerment to the Council. For, ultimately, if we reach agreement on a balanced expansion of membership in both categories by reforming its working methods and its decision-making procedures, we shall have erected a firm foundation for a dynamic, efficient and more relevant Council whose jurisdiction and decisions will enjoy universal acceptance.

The Council today faces new and complex problems of security that were not apparent 50 years ago, or were subsumed within the international political processes at play within the larger context of the cold war. Today the problems of internal conflicts, of various potential areas of instability and of terrorism have direct implications for international peace and security.

All these matters require new and creative approaches, including those of peacemaking, peace-building and even peacekeeping. The Council therefore needs to undergo the kinds of reforms which will make it responsive to and capable of dealing with traditional problems as well as these new ones. What therefore is needed in the reforms we seek is to strengthen the capability of the Council in handling matters of international peace and security. Failure to do so, or insistence on non-reforms such as partial measures, will not only serve to reinforce the status quo, but will also do harm to the integrity and efficiency of the Council and undermine our collective efforts.

Africa, being the most under-represented, should be given the highest priority since it has three non-permanent members, compared to, say, the Western region which has a total of seven seats — four permanent members, and three non-permanent members. Africa deserves at least two permanent members in the Council and also, in all fairness, an increase in the non-permanent seats.

Needless to say, the Council will have to undertake periodic reviews of its mission, membership and working methods, as well as continuously adjust to changing circumstances and address itself to new needs. This is why we must not see the present exercise as a one-off issue, but rather as a necessary and continuing process of consultations. Of course, the issues are difficult, especially because they involve questioning entrenched political privileges of some of our countries, and the possibility of limited devolution of some prerogatives. This notwithstanding, we must persevere and not succumb to the easy but temporary options of abandoning the reform process or to the temptation of partial measures. Ultimately, humanity in its entirety has a legitimate right to ask for involvement in decisions that affect its well-being and its future.

Linked to the expansion of membership is the question of the Council's methods of work, including its decision-making procedures. Increasingly, decisions are being taken by a few permanent members of the Council, thus steadily moving us away from the lofty ideals enshrined in Article 24 of the Charter. We have repeatedly pointed out the imperative of bringing about greater democratization of the methods of decision-making and allowing for greater transparency. We take note of the efforts made to pull the Council from the shroud of secrecy, but those efforts have only scratched the surface. Decision-making remains the prerogative of a few, often without giving the general membership the

chance to contribute to the making of those decisions. Equally, the working procedures and their resultant decisions remain subservient to the political prerogative of the permanent members and without the rigour of justice or consistency.

The wind of change which has swept across the world has reinvigorated the democratization process. Democracy, transparency, good governance and accountability have become the pillars upon which the Governments of most Member States are anchored. Given the expansion and deepening of democracy at the national level, we should expect to see a corresponding embrace of the ideals of the system at the international level, and certainly within the United Nations. This is why it is a contradiction in terms to see rigidity and arguments for preserving the status quo in the United Nations system for decision-making mechanisms on critical issues, including the question of the veto. The veto power, flawed in principle as it was and remains, may have had a useful purpose during the cold war era, but with the improved international environment and, indeed, the increase of diplomatic avenues to resolve differences, the continued existence of the veto is as undemocratic as it is irrelevant. We must now have a clear resolve to liberate the United Nations from this obsolete and undemocratic legacy of the cold war.

Reforms must not only be real, but must also be just and equitable. Because the Security Council acts on behalf of the general membership of the United Nations, full consideration should be given to the aspirations and interests of developing countries, which account for the majority of the United Nations membership. In this respect, the Assembly, being the most representative of all United Nations bodies, ought to be vested with the most authority and responsibility. After all, is this not the essence of democracy? Greater accountability of the Council to the Assembly should move from the realm of theory to a partnership in facing the new challenges of international peace and security.

Collective security requires the Council to be a genuine representative in terms of equitable geographical participation and for it to cease being an instrument for enforcing policies of an exclusive club. Its members should try to seek the widest support possible in the process of reaching decisions.

Our ultimate objective in pursuing these reforms is to bring about a democratic, representative, dynamic and revitalized Security Council which will be more relevant to the common problems we all face. The new Council will then be able to seek the partnership of all Member States, especially through the General Assembly, in taking decisions by majority consent. That is the ideal we should aim for.

My delegation understands, however, that it will not be easy to reach that objective of democracy, the abolition of the veto and expanded representation as soon as we wish. This is why we are of the strong view that the larger part of the membership of the United Nations ought to be represented in an expanded manner, especially in the permanent category of membership so that, from within, the developing countries can contribute to the process of reform of the Council.

We have every reason to believe that Member States will have the political courage to go the extra mile in favour of a credible and equitably representative new Council. Reforms that do not meet the aspirations of the majority will only perpetuate mistrust and frustration among Member States, thus working against the tide of democracy.

Mr. Sychou (Belarus) (*interpretation from Russian*): One of the most topical and important issues now being considered by the United Nations is the question of the reform of the Security Council, the increase in its membership, the strengthening of the proportional representation of regions and the improvement of the working methods and procedures of the organ primarily responsible for maintaining international peace and security.

The current membership of the Council reflects the outcome of the last reform of this body 33 years ago, in 1963. Clearly, much has changed since then and, as a number of statements have pointed out, the current system already seems less ideal than it did in the 1960s. In fact, it has resulted in a situation in which almost 80 countries have never participated in the work of the Security Council and about 40, including a number of founding Members of the Organization, have participated only once.

There are many other aspects of the work of the Security Council that the majority of Member countries of the Organization find unsatisfactory. They include an imbalance in the representation of regional groups in the Council; insufficient transparency in its working methods; the influence of the national interests of a number of leading members of the Council on questions that affect the interests of all the other Member States of the United

Nations; the high price of the right of veto; the negative side effects the sanctions regimes imposed by the Council have on the civilian populations of countries indirectly affected and on the economies of third countries; the failure of a number of peacekeeping operations; and several others. The reform aims to eliminate these deficiencies.

The reform is not designed merely to inform Member States of decisions adopted by the Security Council, but really to ensure the broad participation of all countries in this process. Given the serious differences of position between groups of countries and individual Member States on a whole range of the most important aspects of the reform of the Security Council, the process of reforming this organ should commence with those elements of reform that are supported by most States.

During the recent round of negotiations and consultations in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, which is entrusted with consideration of this question and the drafting of corresponding recommendations on it, a number of proposals were made on possible ways to reform the Security Council. As the Assembly knows, positions focus on three basic approaches to the problem. First, reform should lead to an expansion of the category of permanent member of the Security Council. Secondly, reform should be limited to expansion of the category of non-permanent member of the Council, without any expansion of the category of permanent membership. Thirdly, the expansion of the Council should cover both permanent and non-permanent membership while the working methods of the Council, including the use and scope of the right of veto, are improved. At the same time, it is quite clear that, unless agreement is reached on expanding the membership of the Council, it will be impossible or extremely difficult to resolve any other question relating to the work of the Council.

In September this year, on the eve of the fifty-first session of the General Assembly, the Open-ended Working Group adopted a report which, in our opinion, for the first time over the last three years covers virtually all aspects of the problem spelled out in its full title. We cannot fail to recognize that this was largely brought about by the important fact that the Security Council has recently adopted a number of steps to improve both its interaction with States that are not members of the Council and its working methods. We support a further strengthening of the relationship between the Security Council and the Members of the Organization as a whole. It is hard to imagine any reference to the Security Council as an organ that acts on behalf of all States Members of the United Nations without this kind of close relationship.

It is characteristic that, at this stage, most United Nations Member States, including Belarus, place particular emphasis on the problem of the equitable and balanced distribution of seats in the Security Council and States' increased participation in its work. The positive side of a number of proposals made during the thorough discussion on an increase of the membership of the Security Council this year is the desire to find a balance among the interests of all groups of countries.

It is appropriate to recall that the membership of the Eastern European Group has almost tripled in recent years. It is no coincidence that, in the summary of discussions contained in the report that the Working Group submitted to the General Assembly, it is reported that:

> "The view was expressed that expansion of the Security Council should also take into account the increase in the membership of the United Nations by countries belonging to Eastern Europe in the context of an overall equitable geographical distribution." (*A/50/47, para. 24*)

Thus, more and more Member States are recognizing that, as things stand today, any increase in the membership of the Security Council would be counter-productive if it did not take account of the interests of the Eastern European Group. While we support this report as a whole, we express the hope that this factor, which has been finally recognized by a majority of Member States will be developed further and logically in all the future activities of the Working Group. From the very outset, we have stressed and are prepared to stress again and again that Security Council reform is possible only if the legitimate interests of all groups of countries are taken into account, since it would be difficult to go along with any decision that would exacerbate the present disproportionate membership in this body.

In their turn, regional groups should establish mechanisms for rotation, in accordance with the universal principle of equitable geographical distribution of seats in the Council, not only among but also within regional groups. When reaching regional agreements on proposing candidacies for non-permanent membership in the Security Council, such important factors as the ability of

applicant countries to contribute to the strengthening of international peace and security should be taken into account. In the light of current priorities, particular attention should be given to countries that make a significant, generally recognized contribution to the strengthening of the nuclear non-proliferation regime and effective efforts to strengthen regional and global security by carrying out their obligations under the major disarmament agreements and treaties in this area.

Nevertheless, there is still not enough awareness of the problem of equitable geographical distribution in reforming the Security Council and attempts are being made to solve the problems of one group of countries at the expense of or by circumventing others. The report of the Working Group on the results of its work for this year and the atmosphere in which it was adopted at the final stage of its work speak volumes about how far we still need to go before we reach consensus, without which the reform of the Security Council will just not work.

Mr. Valencia Rodríguez (Ecuador) *(interpretation from Spanish):* I wish first to express my delegation's appreciation to Mr. Diogo Freitas do Amaral for his chairmanship of the Open-ended Working Group on the issue before us, and to Ambassador Breitenstein and Ambassador Jayanama for their enormous efforts as Vice-Chairmen of the Group.

Although the Ecuadorian position is widely known by the General Assembly and the Working Group, I believe it is necessary to reiterate its basic aspects. Our position can be summed up as follows.

First, Ecuador considers it necessary to increase the membership of the Security Council in both categories, permanent and non-permanent, since its composition must reflect the current number of United Nations Members and new political realities. Secondly, an increase in the number of permanent seats must be conditioned on the admission to that category of one country from each region of the developing world: Africa, Asia and Latin America and the Caribbean. Thirdly, Ecuador opposes the maintenance of the veto privilege, considering it to be an anti-democratic and obsolete mechanism that does not reflect new global realities. If it is not possible to eliminate the veto, Ecuador suggested that its exercise be limited to cases under Chapter VII of the Charter. Fourthly, if an agreement on an increase in the membership in both categories cannot be reached, we should promote an increase in the number of non-permanent members, as the Council cannot continue with a totally defective anti-democratic composition. To that end, there are several proposals that could serve as a basis, of which we wish to highlight the Italian proposal.

I believe, without prejudice to this position, that certain criteria could be considered for the sole purpose of examining effective possibilities for resolving this particular question, in which all delegations have special interest. As mentioned by other speakers, the report of the Working Group contains 18 written proposals, apart from all verbal suggestions and initiatives presented during the consideration of this item in the General Assembly and in the Working Group. There has not even been the beginning of an agreement on these proposals, suggestions and initiatives, and for this reason the Group confined itself to recommending the continued study of this matter in 1997, bearing in mind the progress, if it can be called progress, achieved during the forty-eighth, forty-ninth and fiftieth sessions, as well as during the current session.

In these circumstances, everything seems to indicate that we may hear yet again the repetition of widely known arguments and positions, which will not lead us to results. Therefore, I believe it is time to search for a practical solution through the Working Group's future efforts based on this debate in plenary. Such a solution could be attained through the development of an integrated negotiating package to be adopted by consensus, which is the only way of ensuring its viability. That package should take into consideration those aspects that have majority backing and should be based fundamentally on the new global political and juridical realities, including the serious and undeniable circumstances that make it difficult to reform the Charter.

The negotiating package could be composed of the following six basic elements. First, the number of permanent members could be increased on the basis of the aforementioned criteria, which is to say, on the basis of the considerable support enjoyed by candidates. That would mean that up to five new permanent members could be added, taking into consideration the contribution of the candidates to the essential aims of the Organization. Secondly, the number of non-permanent members could be increased in such a way as to maintain a proper balance between permanent and non-permanent members, while at the same time producing a total membership of the Council that would ensure effectiveness and efficiency in its procedures. That increase could entail seven new members. Thirdly, in accordance with the Charter, it must be recognized that discriminatory distinctions or criteria should not be applied to the various permanent members with regard to

the exercise of rights and obligations. Fourthly, there should be a commitment on the part of all permanent members, through a declaration, to restrict exercise of the veto to cases under Chapter VII of the Charter. As this instrument cannot be modified through a declaration, that commitment would be more a pledge of intention. Fifthly, the adoption of norms of procedure that effectively ensure transparency and democratization in all aspects of the functions and activities of the Security Council, a matter on which there is ample room for consensus among all delegations. Sixthly, this package could be reviewed after 15 to 20 years, to determine changes necessary in the light of the new global realities.

Delegations should make a serious effort to review the contents of this negotiating package, inspired by a firm political will to make concessions that might seem very sizeable to many countries, but that in the end will yield considerable results.

However, everyone is aware of the difficulties involved in the preparation and adoption by consensus of such a negotiating package. Should it prove too difficult, the only alternative would be to look to an increase in the non-permanent member category alone, together with the adoption of norms that ensure the transparency and democratization of the Council's procedures.

Mr. Samhan (United Arab Emirates) *(interpretation from Arabic)*: On behalf of the delegation of the United Arab Emirates, I wish to express our gratitude to the Chairman of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, as well as to the two Vice-Chairmen for their efforts to reach a positive solution conducive to strengthening the role of the Security Council in the maintenance of international peace and security.

The gratitude of the international community for the important role played by the Security Council in containing many regional conflicts and civil wars in recent years has highlighted the urgent need to change and increase the Council's role in line with a new concept — democratic representation, reflecting the greater balance in international relations — through the reform and expansion of its membership. This is one of the priority issues for States after the end of the cold war.

Although there is international unanimity on the need to reform the composition of the Council as part of the overall process of United Nations reform, the debate has nevertheless highlighted some differences between Member States with regard to the best way to implement the desired reforms. The agreement that has been reached in principle in the Working Group may be considered an appropriate basis for continuing serious negotiations between States to enable us to create a realistic vision reflecting the changes in the contemporary world and the need for democracy, justice and transparency, while ensuring that Council enlargement and other reforms will not have a negative impact on the Council's work or on its task of maintaining international peace and security.

The delegation of the United Arab Emirates supports the positive proposals submitted by the Chairman of the Non-Aligned Movement to the General Assembly, which, *inter alia*, stressed that the expansion of the Security Council should not result in an increase in the number of permanent members from developed countries at the expense of the developing countries, but that the principle of equitable geographical representation should be respected, as well as the principle of the sovereign equality of States.

The attainment of that goal requires the international community to find an appropriate objective formula to give the developing countries, which represent the majority of the Member States of the United Nations, the opportunity of participating in processes for decision-making and for working out general strategies to meet current needs so as to serve the goals of peace and security.

Reform, and the formalization of the working methods of the Council, can realistically be brought about only if we consider the entire decision-making process, which is still, to this day, characterized by two main practices: consultations and the use of the veto. These practices have created double standards in some of the Council's work. There has been a lack of transparency with regard to attaining the general goal of peace. As the issues that the Council deals with are extremely important — they relate directly to peace and the interests of the countries concerned — the delegation of the United Arab Emirates supports all the efforts and initiatives that seek to expand the basis on which consultations take place between members and non-members of the Council, as well as regional organizations and other countries concerned, before decisions are taken.

We must also find objective criteria for the use of the veto to ensure that appropriate decisions are taken for the maintenance of international peace and security, fully

respecting the sovereignty of States and their territorial integrity, security and stability in accordance with international law and the provisions of the Charter. The delegation of the United Arab Emirates emphasizes the need for an objective, general assessment of the principle of Council enlargement in keeping with equitable geographical representation. We must also introduce reforms in the rules and practices of the Council in accordance with paragraph 1 of Article 24 of the Charter, as well as with Article 23.

As security and political problems are directly tied to economic and social issues, the international community should enhance coordination between the Security Council and the other main organs of the United Nations, especially the General Assembly, the Economic and Social Council and the International Court of Justice, so as to ensure their effective participation through political and legal consultations to enable a flow of information between them. This would promote confidence-building for the resolution of conflicts and situations of aggression through peaceful means, thereby creating a climate of tolerance and peaceful coexistence.

In conclusion, the delegation of the United Arab Emirates hopes that discussions in the Working Group will be successful, and that consensus will be reached so that the Security Council can play its role and shoulder increased responsibilities for the maintenance of peace, security and stability.

Mr. Takht-Ravanchi (Islamic Republic of Iran): Since the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council began its work, different aspects of Security Council reform have been considered. In its very difficult and delicate task, the Working Group was guided by the tireless efforts of the co-Vice-Chairmen of the Group, to whom my delegation would like to pay tribute.

In previous years, and during the various meetings of the Working Group, many delegations, including my own, have expressed their positions and offered proposals on the reform of the Council. The report of the Working Group to the fiftieth session of the General Assembly, contained in document A/50/47, reflects the thrust of the Group's deliberations. This is not, therefore, the time to repeat what we have already said in the meetings of the Working Group. Having said that, I should like to state that my delegation wishes to express support for the observations made by the Ambassador of Colombia on behalf of the Non-Aligned Movement.

The need for the Council to be more representative and much more transparent, effective, accountable to Member States and democratic is a given. Furthermore, the establishment of a new balance between the General Assembly and the Security Council by filling the existing gap between Member States and the Council is vital. The Council should ensure the participation of Member States in the decision-making process so that its moral legitimacy may be fully retained.

Of equal importance is the view of the large majority of Member States that there is a need to curtail and rationalize the veto power, for it is now more clear than ever before that that privilege has really lost its *raison d'être*. In our view, it is now time to appraise the past and prepare the ground for progress in the future deliberations of the Working Group, which is to continue its work.

My delegation believes that the discussions on the reform of the Security Council have so far been useful. The discussions on the issue in the Working Group and other forums have, to a large extent, clarified various aspects of the question on the agenda, delineating both convergences and divergences of views. It is now evident that progress in Security Council reform depends to a large extent on strong political will on the part of all Members, and particularly the permanent members of the Council.

On the other hand, the discussions to date have revealed some of the flaws and deficiencies of the Council, especially in its working methods. Some of those flaws have been inherent in the Council since its creation. In response to the discussions held, the Security Council has taken some incremental steps to improve its working methods. Those steps should be institutionalized and further initiatives should be taken in light of the suggestions and proposals introduced by Member States to improve the efficiency and effectiveness of the Council.

There is general agreement that the membership of the Security Council should be expanded to ensure equitable and balanced representation. At the present time, the developing countries are under-represented. To make the Council more representative, various proposals have been introduced, each representing a philosophical viewpoint and/or the interests of certain Members. Unlike

the question of reform of the Council's working methods, which has met with only sporadic opposition from some of the permanent members of the Council, the question of increase in the membership of the Council is more complex and controversial. The emergent view, which seems to point to a way out of this dilemma, is to proceed to an increase in the non-permanent membership of the Council as the first phase of this process. Of course, the discussions on the second phase — that is, other issues in Cluster I — should continue until a final result is achieved.

As the organ on which the Member States have conferred the primary responsibility for the maintenance of international peace and security, the Security Council's decisions affect every Member of the Organization in one way or another. Therefore, the process of the Council's decision-making and the composition of its decision-makers are of paramount importance to Member States. Similarly, the participation of all Members in the process of the Council's reform is both important and a source of credibility for the Organization as a whole. For its part, my delegation is ready to continue to follow and to participate in the future work on the reform of the Security Council with a great deal of interest and enthusiasm.

Mr. Vilchez Asher (Nicaragua) (*interpretation from Spanish*): I am speaking on behalf of the countries of Central America participating in this debate on the question of equitable representation on and increase in the membership of the Security Council and other related matters. We participate because we are a group of small countries that belong to a region that is not sufficiently represented in the Council and we feel a responsibility to express our position on what the Security Council should be in the next century.

The report of the Working Group before us is of fundamental importance because it affords us an opportunity to analyse and evaluate the prevailing consensus on a considerable number of the points we have been discussing for a long time now.

The Central American delegations wish to express their appreciation to the Vice-Chairmen of the Open-ended Working Group and to take this opportunity to note that the Group's mandate has been satisfactorily implemented. This year, considerable progress has been achieved. We have all had an opportunity to express our views in the Working Group and our hopes to arrive at a truly representative Security Council, one that, in addition to fulfilling its mandate to examine issues that pose a threat to international peace and security, will be possessed of effective, dynamic and transparent working methods and function in coordination with both the General Assembly and the other organs of the United Nations.

For Central America, which has in the past benefited from the work of the Security Council, in coordination with the General Assembly and other United Nations organs, it is of singular importance that the membership of the Security Council be enlarged. As the report notes, the Council must reflect the opinion of the vast majority of States, including those of our region, and there must be an increase in both permanent and non-permanent membership. Here, we would emphasize the right of developing countries to be represented in both the permanent and non-permanent memberships of the Council in order to maintain an overall balance in its membership.

A balanced increase in Security Council membership has become imperative. If it is not accomplished before the twenty-first century, we will not have acted in keeping with the new composition of the United Nations or with the changes demanded by the new world situation. As we see it, Article 23 of the Charter remains fully valid, because it contains a broad and flexible approach that accurately reflects the importance of the equitable geographical balance and distribution that should prevail in the Organization.

We believe that the cards are now on the table and that the time has now come to pursue serious and constructive negotiations. We are sure that the voices of all the Member States that have participated throughout these years of work cannot continue to be ignored by the five permanent members of the Council and we are persuaded that their response to all of this endeavour will be positive.

In recent years, the work of the Security Council has grown in tandem with the number of conflicts it has examined. This has demonstrated the relevance of a Council that, when taking its decisions, must be sure that it possesses all the elements of analysis and opinion that will enable it to act in accordance with the Charter, with due respect for the sovereignty and integrity of States and on behalf of the peoples of the world, as set forth in the Charter.

The United Nations has its roots in the immediate past, the end of the Second World War, and was established to avoid another armed conflict of equal or greater proportions. Its fundamental objectives depend on

the unity of the great Powers and on their responsibility for the establishment of world peace, security and order. Nonetheless, the founders of the Organization did not foresee the magnitude and scope of the conflict between two antagonistic blocs or the influence it would have on international relations in the post-war period; the structure, financing and strength of the United Nations were based on the criteria of the security, power and national interests of the great Powers. This was most particularly reflected in the composition of the Security Council, which was seen as the Organization's focal point.

The Security Council was formally granted broad powers to extend its mandate in the face of any threat to international peace and security, giving the impression that the principle of collective security is a reality. Unfortunately, however, the confrontational nature of great-Power relations and the demand for privileges in order to realize divergent objectives and interests revealed a different reality. The Council fell captive to power politics, regrettably consecrated in Article 27 of the Charter, a contradiction of Article 2, paragraph 1, which established the principle of the sovereign equality of States. This situation has prevailed in the United Nations ever since its creation.

Today, with an increase in the membership of the United Nations to 185 and as a result of the profound changes in international society, there has been a movement among Member States regarding the need to expand the Council so that it reflects not only the increase in the membership of the United Nations but also other questions related to its functioning. The goal is to strengthen its capacity and effectiveness, democratize its decisions and improve its relations with States that do not belong to the Council.

In this globalized and interdependent world, an increase in the membership of the Council should be based on Article 2, paragraph 1 of the Charter, which stipulates that

> "The Organization is based on the principle of the sovereign equality of all its Members."

We therefore consider it vitally important that the reform be the result of broad political consensus that reflects the will of the majority. Taking this into account, Central America believes that the decision-making process in the Council should be one of the fundamental aspects of any comprehensive reform.

The Council acts on the basis of Article 24 of the Charter, which clearly specifies that its primary responsibility is to take action when international peace and security are threatened. It is in deciding whether a situation really constitutes a threat to international peace and security that the Security Council must act with great caution and that it must make a very careful analysis of the situation. We have the impression — and this worries us — that in this decision-making process the Security Council has fallen into a dangerous generalization as to what constitutes a threat to international peace and security.

Practice has shown that now that we turn more frequently to the Council to seek solutions to any conflict, often other mechanisms for the peaceful settlement of disputes, which Chapter VI of the Charter makes available, are forgotten. Central America — which has made full use of all political and diplomatic negotiating methods, and which has turned to the International Court of Justice and international law to resolve its differences and to find solutions to all sorts of regional problems — considers that such options should be given priority before deciding to establish any peacekeeping operation.

Central America has been following the work of the Working Group and therefore appreciates the contents of the report it has submitted to us recently. There are certain proposals or positions annexed to the report that the Group felt should be taken into consideration by the General Assembly. In that connection, we welcome the Non-Aligned Movement's annex on the question of the veto. Central America, like the great majority of Members, is of the opinion that at the present time the veto has lost its *raison d'être* and that ideally it should be completely eliminated. Nonetheless, realistically, since it would be extremely difficult to achieve that, we believe that the Non-Aligned Movement's proposal offers a viable alternative which should be given great attention by this Assembly. In this respect, we agree with those who have made concrete proposals to restrict the veto to Chapter VII. And once again we express the opinion of Central America that the effectiveness of the Council in fulfilling its mandate depends to a great extent on the legitimacy of its decisions. The use of the veto limits the Council's responsibility when it acts on behalf of all Members of the United Nations.

Central America welcomes this debate, which is devoted to the analysis of a subject that has been on the agenda of the General Assembly for some years now. This exercise is one of the most important in the entire

process of reform and strengthening of the United Nations. We therefore hope that through this process an effective contribution will be made to adapting the United Nations to the changing international system. We hope that the Security Council will thus respond to the aspirations of those who signed the Charter of the United Nations, which is the source of the commitment to maintain peace in a collective manner and not for the benefit or in the interest of any State in particular. This will be possible if we create a renewed Council which responds to the interests of all Member States in accordance with the ideals set forth in the Charter.

In conclusion, it is important to emphasize that Council reform is just one of the elements of the intricate process of United Nations reform, and that it should not be accomplished to the detriment of other key aspects that are also of global interest. In this process we can unhesitatingly affirm that, in the universe of difficulties confronting us, the problems of comprehensive and sustainable development are our greatest challenge because of their close links to international peace, security and progress. Peace, development and security are three concepts that are totally interdependent and that reinforce each other. For this reason, the process of reform must not detract from the due importance to be given to an analysis of development issues and to the solution of the serious, related problems. In this connection, it is important to maintain a balance between efforts to reform the Security Council and other initiatives to make the General Assembly and the Economic and Social Council more effective as well as to strengthen cooperation for development.

Mr. Bune (Fiji): The reform of the Security Council has been the subject of our consideration for the last three years. During that time, an Open-ended Working Group has carried out deliberations on the matter. The Group has been unable to come up with definitive proposals for the reform of the Council. Nevertheless, the Group was able to agree on a number of areas that should be addressed in any reform programme. The Group reaffirmed its agreement that the Council should be expanded to ensure equitable geographical distribution, taking into account the substantial increase in the membership of the United Nations — especially the increased membership of developing countries — as well as important changes in international relations. Views on the nature of the expansion differed. There was also a divergence of opinion on the veto power exercised by permanent members, and on the working methods of the Security Council.

My delegation would like to express its gratitude to the Working Group for its work and for its report. The fact that the Group was unable to come up with definite and concrete proposals is not surprising. The issue is a delicate and sensitive one and lies at the very heart of international relations and the nexus of the global political power structure.

Fiji's position on the question of the enlargement of the Security Council is well known. We support an increase in the permanent as well as in the non-permanent membership of the Council. Since 1965, when the membership of the present Council was last reviewed, there have been profound changes in the international geopolitical situation arising from the success of the decolonization process and the end of the cold war era. Membership of the United Nations has increased steadily over the years to a total of 185 as of today. Regrettably, no corresponding change has been made to the composition of the Council to address the present inequities in the representation and geographic distribution of its membership.

My own country, Fiji, has been a Member of the United Nations for the last 26 years, since it became independent in 1970. For the last 18 years, we have contributed troops and civilian policemen to a majority of United Nations peacekeeping missions. Unfortunately, as a small Pacific island country on the fringe of the Asian Group to which we belong at present, Fiji is one of the 77 Member States that are still denied the opportunity to serve in the Council because of the absence of an equitable rotation system.

Fiji was the first South Pacific island country to join the United Nations, in 1970, five years after the membership of the present Council was revised. Today, there are 14 independent sovereign island States in the Pacific region, 8 of which are Members of the United Nations. In addition, there are seven overseas and Non-Self-Governing Territories in the region. Those 14 Pacific island nations have formed a regional organization with Australia and New Zealand for economic and political cooperation, known as the South Pacific Forum. Our total population is well over 25 million, making it a significant subregional group by itself. As a regional organization, the Forum enjoys observer status with the United Nations. In the same way that the Caribbean is recognized as a distinct subregion of the Latin American regional group, the South Pacific would like to be recognized as a distinct subregion of the Asian group. This distinct identity is not new and is already recognized in the United Nations

system by the new designation adopted by the Economic and Social Commission for Asia and the Pacific.

It is therefore the humble submission of my country that, based on the United Nations principles of the sovereign equality of all its Members, of universality of membership, and of equitable geographical representation, the South Pacific region, which includes the island nations along with Australia and New Zealand, should be recognized as a geopolitical region for the purpose of regional representation and membership of the Security Council. The breakup of the former Soviet Union following the end of the cold war also gave rise to a dramatic increase in the membership of the Eastern European group. Any expansion of the Council should therefore take into account this new political reality.

In order to address the current imbalanced regional representation and to ensure broader representation of developing countries in the Council, my delegation would like to propose that the non-permanent membership of the Council be increased from 10 to 17, as follows: Africa and Asia, an increase from the present five to nine; Eastern Europe, from the present one to two; Latin America and the Caribbean, from the present two to three; and Western European and other States, from the present two to three.

In keeping with the principle of equitable geographical and regional representation, my delegation would further propose the following geographical distribution of these non-permanent seats. Within the African group, one seat each could be allocated to southern Africa, western Africa, eastern Africa, central Africa and the League of Arab States. Within the Asian group, one seat each could be allocated to South Asia, West Asia, East Asia, and the South Pacific, including Australia and New Zealand. Within the Latin American group, one seat each could be allocated to South America, Central America and the Caribbean. Finally, the group of Western European and other States could be allocated three seats and the Eastern European group could be allocated two seats. This would make a total of 17 non-permanent seats.

While we respect the right of each region and subregion to decide how these non-permanent seats should be distributed among their membership, my delegation believes that the only way to ensure an equitable and wider representation of the membership is through the adoption by regions and subregions of an equitable rotation system. We also support the retention of the ban on immediate re-election.

My delegation supports the proposal that the permanent membership of the Council be increased by two, and that the two additional seats should be taken up by Germany and Japan. We would also be prepared to support consideration of one permanent seat each for Africa and Latin America and the Caribbean in order to make the group of permanent members more representative. However, for the permanent seats, we believe that in addition to the criteria in the Charter, the principal consideration should be the political, economic and diplomatic weight of the Member State concerned.

My delegation believes that our proposals on the size of the permanent membership and on the size and geographical composition of the non-permanent membership are a material and proper approach to the reform of the Security Council if the Council is to continue to have credibility as an institution which is representative of the international community as a whole and which therefore has the legal and moral authority to act on its behalf. It cannot claim to be such an organization if it continues to be a club of permanent members and those non-permanent members who have a lock on Council seats, getting themselves re-elected repeatedly while denying the opportunity to others from their regional groups.

On the matter of the veto, my delegation is of the view that the veto power should be eliminated. However, taking into account the current realities of international relations, my delegation would support, as an initial step in that direction, the proposal that the scope and use of the veto should be limited and should apply only to measures taken under Chapter VII of the Charter.

My delegation additionally wishes to propose that if a permanent member uses the veto power outside the scope of Chapter VII of the Charter, the use of that veto should be subject to the right of appeal by another permanent Council member to the General Assembly for a final decision; the decision of the General Assembly on the appeal should be on the basis of a two thirds majority vote.

My delegation supports the view that rationalization of the working methods and an increase in the transparency of the work of the Council would enhance its effectiveness and efficiency, especially in terms of a sound working relationship with the other organs of the United Nations, and a new constructive relationship between the Council and the General Assembly which should include the effective flow of information and the

exchange of views. We therefore support the proposals submitted by Argentina and New Zealand and set out in document A/50/47/Add.1.

The fact is undeniable that almost all United Nations Members agree that the Council be reformed. Where we disagree is on the scope of the reform. My delegation has conveyed specific proposals. My delegation believes that with goodwill on the part of all, with a willingness to compromise, and with political will, we should be able to reach a consensus on the scope of the reform of the Security Council without undue delay.

Mr. Hamdoon (Iraq) (*interpretation from Arabic*): At the outset, it gives me pleasure to express our sincere thanks to the Chairman of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. I wish also to thank the Vice-Chairmen for their excellent efforts in guiding the work of the Group last year. We are confident that the skills and the experience of the current Chairman, His Excellency Ambassador Razali Ismail, will qualitatively contribute to the work of the Group.

Over the past three years, discussions in the Working Group have reflected a consensus on the importance of the expansion of the Security Council and on the need for a review of its working methods and procedures. With regard to expansion, my delegation wishes to reaffirm the joint position of the Non-Aligned Movement: that the enlargement of the Security Council should be comprehensive, reflecting the universal character of the international Organization, and that it is important substantially to increase the number of Council seats for the Non-Aligned Movement, and for the developing countries of Asia, Africa, and Latin America and the Caribbean. Any attempt to exclude the countries of the Non-Aligned Movement from the process of expansion of the membership would be totally unacceptable.

As for the issue of the reform of the working methods and procedures of the Security Council, we believe that this issue is increasingly important for all Members of the United Nations, because such reform would act as a safety valve, ensuring that the Council responsibly carries out its duties under the Charter and preventing misuse of the Council's powers by some of its members.

Regrettably, however, we have noticed that in the Working Group's discussions last year there was an increasing tendency to focus on the question of the enlargement and expansion of the Council at the expense of the issue of reforming its methods and procedures. We believe that the reform of procedures and working methods was not given its due in the discussions of the Working Group, where proposals for reform were restricted to specific points, such as limitations on the veto and the question of lax interpretation and misuse of various Articles of the Charter, such as Articles 27, 31 and 32.

Such proposals, although important, are not the only ones that could enable us to overcome the deficiencies in the working methods and procedures of the Security Council. It is true that the veto has been misinterpreted and misused, and it is true that Articles 27, 31 and 32 of the Charter have not been translated into a working method of the Security Council in conformity with the spirit of the Charter.

However there are other articles that have become inoperative, or have been misinterpreted — or have perhaps been used as a cover for practices that contravene the purposes of the Charter.Article 41 has been used by some members of the Security Council as if it were a blank cheque, a licence to impose comprehensive sanctions, as was the case with Iraq. Article 50 remains inoperative, despite the request by many countries to activate it. Article 23 is ignored by some Member States, which act in the Security Council on the basis of the narrow political views of their countries.

A number of the articles in Chapter VI relating to the pacific settlement of disputes remain inoperative because some members have an interest in jumping directly to action under Chapter VII. This was used as a pretext to destroy vital facilities in Iraq and to drop 120,000 tons of explosives.

If we pursue this line of thought, we reach a single conclusion: there is a need for a comprehensive approach to reforming all aspects of the working methods of the Security Council and to overcoming ambiguities, generalities and subjective interpretations of the articles of the Charter that establish the powers and the duties of the Security Council. Such interpretations have resulted in double standards in practices and criteria, and selectivity in application, which has harmed the credibility of the Council and of the United Nations.

In order to attain this comprehensive reform we should give priority to the following objectives: prohibiting the use of the Security Council as a tool for

the foreign policy of any particular State; confirming the international responsibility of the members of the Council; putting an end to the Security Council's encroachment on the prerogatives of the General Assembly and the other organs of the United Nations; restricting the use of the weapon of the veto in preparation for its elimination; and giving Member States the right to question the Security Council with regard to its resolutions, either in the General Assembly or at the International Court of Justice, in order to ascertain their legitimacy and legality.

Furthermore, States that are non-members of the Council should be informed of the lengthy deliberations that lead to serious resolutions, and those Member States should participate in the decisions, as outlined in the Charter. There should be a further strengthening of the principle of democracy, transparency and accountability in the Security Council and its bodies. We should strengthen the Security Council's commitment to the principles of preventive diplomacy and the peaceful settlement of disputes and limit its resort to the mechanisms of Chapter VII. We should place the mechanisms and procedures under Chapter VII under strict control and affirm that there should be no resort to compulsory procedures unless they are justified. We should prevent the Security Council from using such procedures to starve peoples and to attack States.

To attain these objectives, we believe that the relevant articles of the Charter concerning the Security Council should be reviewed, and that the duties and obligations of the Security Council under Article 24 of the Charter — which states that the Security Council acts on behalf of the Members of the United Nations in carrying out its duties — should be precisely and clearly defined. Such work does not have to start from square one; a number of valuable views and opinions have resulted from the work of the various United Nations working groups, such as the Informal Open-ended Working Group of the General Assembly on An Agenda for Peace. Important views and proposals have been made by the subgroup on the question of United Nations-imposed sanctions, under the chairmanship of His Excellency the Ambassador of Brazil. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization has arrived at very useful conclusions during the past few years, as has the Open-ended High-level Working Group on the Strengthening of the United Nations System.

All these and other important views and proposals could prove a very useful and enriching contribution to the work of the Working Group on the reform of the Security Council, and engender confidence in a review of the United Nations Charter in accordance with Article 109. By taking such proposals into consideration, we would guarantee the success of our efforts at comprehensive reform of the Security Council.

Mr. Bergh (South Africa): Allow me at the outset to express my delegation's deep satisfaction with and confidence in the exemplary manner in which the two Vice-Chairmen of the Open-ended Working Group, Ambassadors Breitenstein of Finland and Jayanama of Thailand have, with great patience, guided our deliberations in the Working Group.

The debate on this agenda item within the Open-ended Working Group, created for the purpose of studying methods of reforming the Security Council, has elicited a number of divergent views. It would appear, judging from some of the diametrically opposed positions adopted by certain delegations, that our painstakingly slow progress thus far on the various issues under discussion may be hampered even further if these maximalist positions continue to be espoused.

It would seem that the diversity in the agenda of the Working Group, ranging from the composition and size of an enlarged Security Council, its decision-making process and working methods to other matters related to the Council, is perhaps a little too ambitious. This may well be a contributing factor to the limited progress that has been achieved to date.

While we have proceeded on the basis that progress on the various issues before us should proceed concurrently, but that progress on certain issues should not be impeded by the lack of progress in other areas, the reality of the matter is that this has not transpired in practice. This, we believe, is in part due to the positions that some of the five permanent members have adopted on matters under discussion other than the composition and size of the Security Council.

We are all aware that during our deliberations on the issue of decision-making in the Council during the past session, the permanent five have remained steadfastly opposed to any proposal to curtail the use of the veto, one of them going as far as to state that it was not even prepared to submit the veto for negotiation or to put it to a vote in any forum.

On the issue of the working methods, we heard proposals aimed at improving the transparency of the Council's working methods, such as the very sensible

proposals relating to the broader interpretation of Articles 31 and 32, in order that they should also apply to informal consultations of the Security Council. Again we heard the permanent five argue that, since no formal decisions can be taken during these discussions, Articles 31 and 32 are not applicable to these private gatherings.

In this manner, a legitimate appeal for greater transparency in the working methods of the Council was construed by the permanent five as excessively harsh criticism, thus resulting in a reaction that has all the makings of over-protectiveness.

Similarly, suggestions for a periodic review of the permanent membership category of the Security Council drew the reaction that this principle would amount to an indictment of failure against a permanent member. Yet this argument leaves much to be desired, and is certainly not conducive to attaining the ultimate aim of the exercise that we are engaged in, which is specifically that of reforming the Security Council, within the overall context of modernizing the United Nations Organization.

This near stalemate on issues other than that of increasing the membership of the Council has been reached in the face of overwhelming support for a review on these issues by the membership of the Organization.

Our ambitious agenda can well be a challenge rather than an obstacle if we as Member States display the necessary flexibility. In this regard, certain permanent members have come out openly in support of a selective increase in the size of the Council, yet they are holding the process in the Working Group to ransom by refusing to engage in a substantive discussion of the other issues relating to Council reform. In the opinion of my delegation, this approach of impeding progress on certain issues contradicts the principle adopted by the Working Group relating to the constructive discussion of the issues before it and will unnecessarily protract our debate.

The proposals relating to improving the transparency, accountability and legitimacy of the Security Council as previously put forward by the African Group and the Non-Aligned Movement, as well as a number of innovative proposals submitted during our most recent session, deserve immediate and thorough consideration.

My delegation wishes to call upon the permanent five to identify clearly those issues on which they are not prepared to enter into a substantive debate and to favour the Working Group with reasons as to why this is the case. By the same token, an indication by them as to the issues on which they are prepared to display flexibility would also be helpful, in order that the modalities for future negotiations can be established at an early stage as a way of speeding up and thus shortening our debate on these aspects.

Our discussions on the issue of size and composition of an enlarged Council during the last session were both diverse and fruitful.

On this issue, my delegation believes that the principles governing the possible expansion of both membership categories of the Security Council, as well as the criteria for new membership, still require our further attention. While we have, thus far, reached consensus in the Working Group that any expansion in the Security Council should ensure equitable geographical distribution, taking into account the substantial increase in the membership of the United Nations, especially of developing countries, as well as important changes in international relations, we also need to admit that we have a long way to go in our further definition of these broad terms of agreement.

We are all acutely aware of the fact that there were prevailing historical circumstances at the time which deprived the authors of the Charter of the opportunity of laying down criteria for permanent membership. However, we are also aware that, in the event that there is agreement that this category of membership should be increased, this is one distinct area where more intense deliberation is needed, particularly when viewed in terms of the responsibilities which we as Member States assign to Security Council membership.

Similarly, changed global circumstances may necessitate a revision regarding the criteria for new non-permanent members, this being a category where there already appears to be a broad consensus that membership should increase.

My delegation has followed with interest the introduction in the debate of the various models involving permutations of membership in both categories, which also attempt to take into account the issues relating to regional considerations, equitable geographical distribution, the increase in the membership of the developing countries, as well as important changes in international relations. We believe that a comprehensive discussion of the common denominators within these models, as well as those that may still be proposed during

the present session, should be weighed within the context of the questions relating to the criteria and modalities for the selection of new Security Council members.

In short, we believe that, bearing in mind that any increase in the membership of the Security Council should not impair the efficiency and effectiveness of its work, issues related to appropriate candidates, as well as those of specific numbers, are of secondary importance to our debate at this stage. These should follow as the logical next step once we have reached agreement on the overriding concerns relating to criteria and modalities for the election of new members of the Security Council.

We cannot deny the fact that our deliberations on this agenda item have dragged on for too long. During his address to the General Assembly at the beginning of this session, Foreign Minister Alfred Nzo registered South Africa's disappointment with the slow pace of progress in our debate on this subject. In this regard, my delegation would support any initiatives aimed at setting time-frames within the debate for the finalization of the various issues, within the context of the overall set of Security Council reform issues as entrusted to the Working Group by the General Assembly.

In conclusion, allow me to assure you of my delegation's continued cooperation with regard to our deliberations in the Open-ended Working Group.

Mr. Guillén (Peru) *(interpretation from Spanish):* The Peruvian delegation considers it essential to express its special gratitude to the co-Vice-Chairmen, Ambassador Breitenstein of Finland and Ambassador Jayanama of Thailand, for their tireless efforts and their valuable contributions to the progress of the Working Group.

Peru will continue to participate responsibly, realistically and flexibly in the negotiations of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. It will assess each question on its own merits and place the fundamental principles and spirit of the Charter above the strategic and political interests of large and medium-sized regional Powers. In spite of the natural complexity of the issues, progress has been made during the deliberations: although the report has avoided making major formulations, there are important trends of opinion giving structure to issues that we now want to see put up for negotiation and decision.

The negotiations are complex because, unlike the reform of the Security Council in 1963, which was decided upon after several years of negotiation, we are now talking about an increase in the category of permanent membership, which has opened up discussion on, *inter alia*, access to the special prerogatives of the five permanent members.

First of all, we believe that the strengthening of the Security Council does not mean just an increase in the number of its members. In our opinion, the Council will be strengthened when its decisions are taken in strict conformity with the law and not subject to narrow interests.

We also believe that reform needs to be comprehensive because it must cover every constituent aspect of the Security Council. This is intended not to affect its effectiveness but to strengthen its legitimacy.

On a number of occasions, we have expressed our position on an increase in the permanent membership through the inclusion of two developed countries and three developing countries, one from each of the three regions of the southern hemisphere. In accordance with Article 23 of the Charter, they must all be able to contribute to the maintenance of peace and security and at the same time, their incorporation into the Council must respect equitable geographical distribution. Equally important, however, is the reference in that same Article to the contribution that these States must make to the purposes of the Charter.

We have maintained that contribution to the United Nations does not mean just financial or military contribution. Due regard must be paid to contributions to international political, economic and social agreements because these represent progress towards the objectives set out in the various Articles of the Charter. Along the same lines, we also believe that having policies that are historically consistent with the Charter of the United Nations is a fundamental qualification for any country that aspires to be a permanent member of the Security Council.

One of the issues that the Working Group has to resolve is whether new members should be admitted on a rotating basis. Another important proposal, the Italian proposal, tries to ensure an opportunity for all States to join the Council. In principle, this would seem to meet the largest number of legitimate aspirations. However, if we were to choose the rotation alternative, we could be

moving away from the principle of consistency with the Charter and compliance with its provisions.

We also believe that an expansion of non-permanent membership should preserve an equitable ratio in terms of decision-making and that in order to preserve the democratic principle of access to non-permanent membership in the Security Council, we would need to consider the appropriateness of suspending the prohibition of immediate re-election contained in the Charter.

The Working Group's report describes in considerable detail decisions that have been taken or proposals made on the Council's working methods relating to transparency, which is seen as essential to the interests of non-members. It is important to consolidate these measures so that they are not discretionary. It is important for some of them, such as consultations and briefings held with countries involved in matters dealt with by the Council, to be timely and precede deliberations so that they can have an impact on the decisions taken by the Council.

But above all, it is important to note that improvements in the Council's working methods must not result in negotiations taking the place of the important substantive decisions that have to be taken on expanding the membership of the Council and improving the decision-making machinery.

The non-use of the veto when one of the Powers was involved in a dispute was a cause that was fervently defended by President Roosevelt in Dumbarton Oaks and Secretary of State Cordell Hull, and the proposal to admit the veto only for procedural issues was supported by his successor, Secretary of State Stettinius. Some years later, in 1949, the General Assembly adopted resolution 267 (III) which recommended to the members of the Security Council that they consider a set of decisions related to it to be of a procedural nature.

An extreme form of the veto demanded by the former Soviet Union, on which the Organization's existence depended towards the end of the San Francisco Conference, was seen by Stalin as a banal matter. This, nonetheless, was what gave rise to the compromise formula that is reflected in the Charter. But this had to be adopted by vote: 20 in favour, 10 against and 10 abstentions. For years, this has been a manifestation of compromise in the area of strategic security.

I have taken the liberty of making these references because the veto is present throughout the Charter, and as regards reform, as has been stated by the delegation of Mexico, this is the major obstacle facing the Working Group — even greater than the expectations for agreements that need to be taken by the countries of the three regions of the southern hemisphere to participate as permanent members, an aspiration that almost all Members agree should receive a positive response.

It is clear that the declining use of the veto in the post-cold-war period must reflect a reality. However, it has not ensured the effectiveness of the Security Council in critical cases. Often, a sort of hidden veto has made consensus possible only on ambiguous, diluted or reiterative texts. For this reason, it is important to reaffirm the authority of the Council and, of course, of the Organization. It is also important to bear in mind that the powers of the Council are rooted in the Charter and cannot be inconsistent with what is provided for therein; and in accordance with Article 24, paragraph 2, in discharging its duties, the Security Council shall act in accordance with the purposes and principles of the United Nations. This is an indication that the political decisions of the Council, which are a priority, are bound by international law as contained in the Charter.

In keeping with the spirit of realism with which we need to consider the prerogative of the veto, the report contains important proposals by countries or groups of countries to make certain changes in this power, such as the proposal made by Egypt, on behalf of the Non-Aligned Movement, and the one made by Brazil. We support these proposals and those calling for the double veto.

These are noteworthy references because the Working Group was notified that the question of the veto was not negotiable. This notification is significant because it implies that two developed countries that are explicitly supported as permanent members by the five current Powers, and developing countries that aspire to this status, would constitute a subordinate class of member States, in accordance with norms that could not be changed because of all the above-mentioned reasons.

Finally, the brief reference contained in the report on the important question of periodic reviews of the composition and membership of the Security Council should be aimed at adapting the package of reforms to

international realities, but it should not be used to justify an agreement that is partial and incomplete in exchange for its regular review.

The Acting President: There are no more speakers in the debate on this item.

We have thus concluded this stage of our consideration of agenda item 47.

Programme of work

The Acting President: I should like to announce some additions to the programme of work of the General Assembly which appeared in document A/INF/51/3/Rev.l/Add.l. On Monday, 4 November, in the morning, the Assembly will consider reports of the Fifth Committee on agenda items 129, 129 and 140 (a), 134 and 157 following the consideration of agenda item 23, entitled "Cooperation between the United Nations and the Asian-African Legal Consultative Committee".

The meeting rose at 1.10 p.m.